

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

DARIN TYRONE RONE
ADC #120531

PLAINTIFF

V.

NO: 5:05CV00177 JLH/HDY

GOLATT, *et al.*

DEFENDANTS

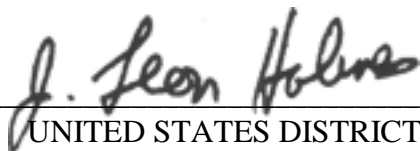
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. Defendants' amended motion to dismiss (docket entry #48) is GRANTED, and this case is DISMISSED WITHOUT PREJUDICE.
2. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
3. The Court certifies that, pursuant to 28 U.S.C. § 1915(g), any appeal from the Order and Judgment dismissing this action is considered frivolous and not in good faith.
4. All pending motions are DENIED AS MOOT.

DATED this 8th day of November, 2005.


UNITED STATES DISTRICT JUDGE